



NIXON PEABODY LLP
ATTORNEYS AT LAW

100 Summer Street
Boston, Massachusetts 02110-2131
(617) 345-1000
Fax: (617) 345-1300

Robert L. Dewees, Jr.
Direct Dial: (617) 345-1316
Direct Fax: (866) 947-1870
E-Mail: rdewees@nixonpeabody.com

June 27, 2005

By Courier and E-File

Mary L. Cottrell, Secretary
Department of Telecommunications and Energy
One South Station, 2nd floor
Boston, MA 02202

Re: Bay State Gas Company, D.T.E. 05-27

Dear Ms. Cottrell:

Enclosed please find the Opposition of Bay State Gas Company to the Attorney General's Motion for Leave to Submit Additional Argument in Support of his Motion to Bifurcate and Appeal of the Procedural Schedule.

Very truly yours,



Robert L. Dewees, Jr.

cc: Caroline O'Brien Bulger, Esq., Hearing Officer (1 copy)
A. John Sullivan, DTE (7 copies)
Andreas Thanos, Assistant Director, Gas Division
Alexander J. Cochis, Assistant Attorney General (4 copies)
Paul R. Osborne, Assistant Director, Rates and Revenue Requirements Division (1 copy)
Service List

**THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

Petition of Bay State Gas Company)
For Approval of Revised Tariffs)
And Other Rate Modifications)

D.T.E. 05-27

**OPPOSITION OF BAY STATE GAS COMPANY TO THE ATTORNEY GENERAL'S
MOTION FOR LEAVE TO SUBMIT ADDITIONAL ARGUMENT IN SUPPORT OF
HIS MOTION TO BIFURCATE AND APPEAL OF THE PROCEDURAL SCHEDULE**

On June 20, 2005, the Attorney General filed a Motion for Leave to Submit Additional Argument on his previous Motion to Bifurcate and Appeal of the Procedural Schedule, claiming that "very late in the discovery process" Bay State Gas Company ("Bay State") identified information about certain types of computer databases that may be available concerning corrosion in its distribution system. Motion, p. 1. The Attorney General claims that he was prejudiced by the Company providing him, on June 17, 2005, with information concerning the Work Order Management System ("WOMS"), the compliance management system, and a Microsoft Access database.

Bay State Gas opposes this Motion to Submit Additional Argument for the reasons set forth in its Opposition to the Attorney General's Motion to Bifurcate and in its Response to his Appeal of the Procedural Schedule, filed on June 10 and June 24, 2005, respectively.

The WOMS was referred by the Attorney General was identified in numerous responses to information requests filed well before June 17, 2005. See response to DTE 1-3 filed May 20, 2005; responses to AG 2-34, 35, 36, 37, 38, 39, 40, 45, 46 and 47 filed May 26, 2006; response to DTE 3-6 filed May 31, 2005; and responses to AG 2-1, 7, and 54 filed June 6, 2005. On a

number of occasions before June 17, Bay State had offered the Attorney General the opportunity to review Bay State's leak data files and maps at the Company's operations centers where the data and maps are maintained, because all of the data and maps are far too voluminous to copy for the Attorney General in any practicable manner. See Bay State's Opposition filed June 21, 2005 to the Attorney General's Motion to Compel, pp. 2-3. Even though the Attorney General declined the offer to inspect the documents, the Company, on June 17, provided him with examples of the type of information available at the operations centers, including samples of system maps and computer database printouts containing information on distribution system leaks. The compliance management system mentioned in the materials provided is used to track code compliance on cathodically protected services, and the Microsoft Access system is used to maintain leak report data in the Brockton division.

The Attorney General asserts the Company should file copies of the samples submitted to him on June 17 with the service list as a response to an information request. The Company will do so shortly, as a Supplemental Response to AG 2-1, AG 2-7, and AG 2-11.

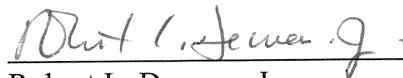
Finally, the Attorney General states that the Company "delayed the release" of this data to deprive the Attorney General of a meaningful opportunity to investigate corrosion on Bay State's distribution system. There is no basis for this statement, particularly in light of the Company's longstanding offer to the Attorney General to inspect the Company's documents and files on leaks in its distribution system at the Company's operations centers.

For the foregoing reasons, the Attorney General's Motion to Submit Additional
Argument should be denied.

Respectfully submitted,

BAY STATE GAS COMPANY

By its attorneys,



Robert L. Dewees, Jr.
NIXON PEABODY LLP
100 Summer Street
Boston, MA 02110
Tel (617) 345-1316
Fax (866) 947-1870

and



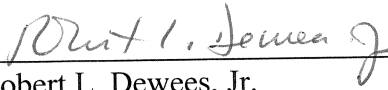
Patricia M. French (PCD)
Senior Attorney
NISOURCE CORPORATE SERVICES
300 Friberg Parkway
Westborough, MA 01581
Tel (508) 836-7394
Fax (508) 836-7039

Dated: June 27, 2005

CERTIFICATION

I certify that I served today a copy of the attached Opposition of Bay State Gas Company to the Attorney General's Motion for Leave to Submit Additional Argument in Support of his Motion to Bifurcate and Appeal of the Procedural Schedule by hand delivery, first class mail, postage prepaid, or electronically on the Department of Telecommunications and Energy and all parties on the service list on file with the Secretary of the Department of Telecommunications and Energy for this proceeding.

Dated at Boston, Massachusetts this 27th day of June, 2005



Robert L. Dewees, Jr.